

**MINUTES OF THE
EXECUTIVE OFFICES & CRIMINAL JUSTICE
JOINT APPROPRIATIONS SUBCOMMITTEE
ROOM 405 STATE CAPITOL BUILDING
February 3, 2003**

Members Present: Sen. D. Chris Buttars
Rep. David L. Hogue, Co-Chair
Sen. Patrice Arent
Sen. Michael Waddoups
Rep. Ron Bigelow
Rep. Scott Daniels
Rep. Jim Dunnigan
Rep. Eric K. Hutchings
Rep. Brad King
Rep. Brad Last
Rep. Dana C. Love

Staff Present: William Greer, Fiscal Analyst
Gary Ricks, Fiscal Analyst
Greta Rodebush, Committee Secretary

Visitors List: List filed with Committee Minutes

Co-Chair Buttars called the meeting to order at 2:12 p.m. He welcomed the subcommittee members.

MOTION: Rep. Hogue moved to approve the minutes for January 29, 2003. The motion passed unanimously with Sen. Waddoups and Rep. Bigelow absent for the vote.

Department of Public Safety

Analyst Ricks presented a total budget for the Department of Public Safety of \$99,171,600. The programs within the budget are as follows:

Programs

| | |
|--------------------------------------|------------------|
| Public Safety Programs & Operations | \$60,820,700 |
| Emergency Services & Homeland Sec | 10,525,900 |
| Peace Officers' Standards & Training | 6,246,500 |
| Driver License | 18,031,500 |
| Highway Safety | <u>3,547,000</u> |
| | \$99,171,600 |

Analyst Ricks noted that last year, the Legislature combined several line items and operating units within Public Safety to assist the Department in dealing with the FY 2003 budget cuts. This consolidation falls under the Public Safety Programs & Operations line item.

In determining the FY 2004 Budget, the Analyst addressed these issues:

2.1 The Analyst budget recommendation included the following items:

- Adjustment for FY 2003 one-time programs;
- Adjustment for December 18, 2002 Special Session reduction;
- Adjustment for Retirement Rate reduction;
- Adjustment for mandated IT Savings reduction from the 2000 General Session.

2.2 The following intent language for FY 2004 was recommended:

It is the intent of the Legislature that funds appropriated to the Department of Public Safety for Fiscal Year 2004 be nonlapsing.

It is the intent of the Legislature that receipts above the appropriated dedicated credits amount of reimbursable flight time for the Department of Public Safety aircraft be nonlapsing and used for major aircraft maintenance.

It is the intent of the Legislature that the Department of Public Safety is authorized to advance officers to the Senior Trooper III level from existing appropriations and/or savings.

It is the intent of the Legislature that the Department of Public Safety may continue with the consolidated line items of appropriation for Fiscal Year 2004 to assist with mitigation of Base budget reductions. It is further the intent of the Legislature that this consolidation is for the period of Fiscal Year 2004 only. The following line items of appropriations for Continued consolidation into one line item for Fiscal Year 2002 are: Commissioner's Office; Criminal Investigations and Technical Services Division; Liquor Law Enforcement; Utah Highway Patrol; Management Information Services; and Fire Marshal's Office. The remainder of the Department's line items of appropriation will each remain separate line items. These are: Emergency Services and Homeland Security; Peace Officer Standards and Training; Driver License Division; Utah Highway Safety.

Within the Commissioner's Office, the Analyst recommended a FY 2004 budget of \$654,700 for the Aero Bureau. The Analyst recommended the following intent language:

It is the intent of the Legislature that receipts above the appropriated dedicated credits amount of reimbursement flight time for the Department of Public Safety aircraft be nonlapsing and used for major aircraft maintenance.

Analyst Ricks discussed individual budgets within the various line-items of the FY 2004 Budget for the Department of Public Safety. They are as follows:

Public Safety Programs and Operations Line Item

| | | |
|-----|-----------------------------------|-------------|
| 3.1 | Commissioner's Office | \$1,381,100 |
| 3.2 | Grants | 1,724,600 |
| 3.3 | Aero Bureau | 654,700 |
| 3.4 | Admin.Services-Vehicles Equipment | 500,000 |
| 3.5 | Liquor Law | 920,200 |

Criminal Investigations and Technical Services (CITS)

| | | |
|------|------------------------------------|-------------|
| 3.6 | CITS Administraton | \$656,000 |
| 3.7 | CITS Bureau of Criminal Identifica | \$3,092,600 |
| 3.8 | CITS BCI Grants | 167,300 |
| 3.9 | CITS State Crime Labs | \$2,050,000 |
| 3.10 | CITS Grants | 430,000 |
| 3.11 | CITS Communications Bureau | \$4,605,000 |
| 3.12 | CITS Investigative Services | \$3,524,600 |

The Bureau of Criminal Identification (BCI) is a significant part of the CITS operation. The Bureau maintains the Utah Computerized Criminal History File (UCCH), the National Incident Based Reporting System (NIBRS), the Statewide Warrants System, the Firearms Section which responds to the Brady Firearms background checks, and the expansion of the Automated Fingerprint Identification System. The Analyst recommended a FY 2004 budget of \$3,092,600 for the BCI. He also recommended that fees for services stay at their current rate. (Budget Analysis, Tab 24, page 13. Attached to the minutes). Analyst Ricks pointed out that there may be some forthcoming legislation that could affect these fees.

Utah Highway Patrol

| | | |
|------|-------------------------|------------|
| 3.13 | UHP Administration | \$720,900 |
| 3.14 | UHP Field Operations | 22,737,400 |
| 3.15 | UHP Commercial Vehicles | 2,868,100 |

| | | |
|------|------------------------------|-------------|
| 3.16 | UHP Safety Inspection | 1,149,600 |
| 3.17 | UHP Special Enforcement | 1,310,400 |
| 3.18 | UHP Protective Services | \$1,303,900 |
| 3.19 | UHP Special Services | 2,470,600 |
| 3.20 | UHP Federal Projects Program | 1,721,000 |
| 3.21 | UHP Technical Services | 615,300 |

The Analyst recommended that fees for services provided by the Utah Highway Patrol remain at the current rate. (Budget Analysis, Tab 24, page 21. Attached to the minutes) The largest single part of the Utah Highway Patrol's budget is Field Operations. Field Operations currently consists of eleven sections, with an authorized strength of 308 employees. The Analyst recommended an FY 2004 budget of \$22,737,400 for Field Operations.

| | | |
|------|--------------------------------|-------------|
| 3.22 | MIS Operations | \$1,484,400 |
| 3.23 | MIS Grants | 412,400 |
| 3.24 | State Fire Marshall Operations | 1,153,300 |

In regards to the State Fire Marshal Operations, the Analyst noted that as a result of enabling legislation passed in the December 18, 2002 Special Session (SB 6002: "Fire Academy Support Account Amendments") General Funds for FY 2004 have been shifted to the General Fund Restricted Fire Academy Support Account. The Analyst recommended a FY 2004 budget of \$1,153,300 for the State Fire Marshal Operations. The Analyst recommended the listed fees for services for FY 2004 (Budget Analysis, Tab 24, page 34. Attached to the minutes).

| | | |
|------|-----------------------|-------------|
| 3.25 | Fire Fighter Training | \$3,168,100 |
|------|-----------------------|-------------|

During the 1993 General Session of the Legislature a tax on property insurance premiums was enacted to establish a funding source for a fire academy in the State. These funds are deposited into a restricted fund for training fire fighters. Utah Valley State College currently offers training for over 240 fire departments and 5,000 firefighters throughout the state.

Emergency Services and Homeland Security

| | | |
|------|---------------------------------|--------------|
| 3.26 | Emerg. Services & Homeland Sec. | \$10,525,900 |
|------|---------------------------------|--------------|

During the last General Session, the Legislature changed the name of Comprehensive Emergency Management (CEM) to Emergency Services and Homeland Security to accommodate the expanded issues associated with terrorism and how that might affect the State. This budget is driven primarily by federal funds. The Analyst recommended an FY 2004 budget of \$10,525,900. This budget also deals with natural disasters.

Peace Officer Standards and Training (POST)

| | | |
|------|---------------------------|------------------|
| 3.27 | POST Administration | 820,600 |
| 3.28 | POST Basic Training | 1,270,500 |
| 3.29 | POST In-Service Training | 637,500 |
| 3.30 | POST Grants | 500,000 |
| 3.31 | POST Police Corps Academy | <u>3,017,900</u> |
| | Total | \$6,246,500 |

Drivers License

Programs

| | | |
|------|--------------------------------|---------------------|
| 3.32 | Drivers License Administration | 1,240,500 |
| 3.33 | Driver Services | 10,592,600 |
| 3.34 | Driver Records | 4,431,300 |
| 3.35 | Motorcycle Safety | 207,000 |
| 3.36 | Uninsured Motorist | <u>1,560,100</u> |
| | Total | <u>\$18,031,500</u> |

The Analyst recommended a FY 2004 budget of \$18,031,500 for Drivers License. The Analyst recommended the listed fees for services for FY 2004 (Budget Analysis, Tab 24, page 44. Attached to the minutes).

Highway Safety

| | | |
|------|----------------|--------------------|
| 3.37 | Highway Safety | <u>\$3,547,000</u> |
|------|----------------|--------------------|

Co-Chair Buttars recognized some honored guests who represent the Utah Highway Patrol Honorary Colonels Associations. He invited each of them to speak to the subcommittee.

Richard Carling, Chairman of UHPHCA, stated that the current Highway Patrol is recognizably the most professional unit the State of Utah has ever had. Any cuts to the budget will affect the safety of the community. He recommended hiring another 100 troopers. He also complimented the Department of Public Safety's Administration for their expertise and for having the safety of the citizens as their prime goal. Similar comments were offered by Larry Miller, prominent citizen, and former members of the Utah State Legislature: Rex Black, Dix H. McMullen, Craig Moody, and Kay Cornaby.

Co-Chair Buttars moved to saunter at 3:22 p.m.

Upon reconvening, Robert Flowers, Commissioner of Public Safety, gave an overview on the Department of Public Safety. He was assisted by Paula Koorring, Chief Administrative Officer. A handout was provided to the subcommittee that outlined FY 2003 and FY 2004 Budget Reduction Mitigations. Commissioner Flowers asked the subcommittee to consider Scenario #3 on the FY 2004 Budget Reduction Mitigations to address a 2% budget cut for FY 2004. Scenario #3 is as follows:

| | |
|---|------------------|
| Request ongoing Hazmat funding from Fire Support Academy | (250,000) |
| Truck Inspection from Safety Inspection Enhancement | (300,000) |
| Replace Gen.Fund w/Liquor Tax Funds for Liquor Law Enrmt. | (925,000) |
| Replace 1.2 General Fund w/Liquor Tax Funds for DUI Squad | <u>(408,000)</u> |
| Total | (\$1,883,000) |

Of particular interest to the subcommittee were fees associated with the Bureau of Criminal Identification, the Concealed Carry Weapons Fees, the CCW Renewal Fee, CCW Replacement Fee, and CCW Late Renewal Fee. Paula Koorring explained that the fees collected under the Concealed Weapons Program are deposited into the General Fund, \$88,000 is appropriated back to the Program, and then an additional \$212,000 is required to subsidize the Concealed Weapons Program. Claron Branchly, Department of Public Safety, spoke to this issue.

In committee, a discussion ensued suggesting that Concealed Carry Weapons (CCW) fees be increased, and that the amount appropriated back from the General Fund be sufficient to cover program expenditures.

Sen. Buttars raised some questions about Fire Fighters Training. He suggested that this ought to be an area where funds could be cut. He stated that it was important to protect the core mission of the Department of Public Safety, that is, to have the Highway Patrol Troopers out on the road and properly equipped to do their job properly. Sen. Buttars felt that one of the ways to do this would be to cut programs.

Co-Chair Buttars recommended that the subcommittee postpone taking preliminary votes on the FY 2004 Budget for the Department of Public Safety.

MOTION: Rep. Hogue moved to adjourn. The motion passed unanimously with Sen. Waddoups, Rep. Bigelow, Rep. Love, and Rep. King absent for the vote.

Co-Chair Buttars adjourned the meeting at 4:32 p.m.

Senator D. Chris Buttars, Co-Chair

Representative David L. Hogue, Co-Chair